

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MISSOURI  
EASTERN DIVISION

ROBERT E. WALLACE, JR.,

Plaintiff,

v.

ALEX DOWNEY, et al.,

Defendants.

No. 4:21-cv-01099-JAR

**MEMORANDUM AND ORDER**

This matter comes before the Court on plaintiff Robert E. Wallace, Jr.'s motion for the separation of witnesses (Docket No. 26) and motion to appoint counsel (Docket No. 27). On April 8, 2022, the Court dismissed this action for failure to comply with the Court's order of February 9, 2022. (Docket No. 13). Plaintiff filed a notice of appeal. (Docket No. 16). The United States Court of Appeals for the Eighth Circuit summarily affirmed the Court's judgment on June 29, 2022. (Docket No. 25). On July 19, 2022, the Court of Appeals issued its mandate. (Docket No. 28). In short, as set forth above, the case is closed. Therefore, plaintiff's motions will be denied as moot.

Accordingly,

**IT IS HEREBY ORDERED** that plaintiff's motions for separation of witnesses (Docket No. 26) and for appointment of counsel (Docket No. 27) are **DENIED AS MOOT**.

Dated this 22<sup>nd</sup> day of July, 2022.

  
JOHN A. ROSS  
UNITED STATES DISTRICT JUDGE